

REMARKS

Claims 1-23 are pending. Group I Claims 1-5 and 14 are Elected.

Election with Traversal

The Examiner has required election of, and restriction of the application to, one of the following groups of claims:

- Group I Claims 1-5 and 14 drawn to an open cell foam, classified in class 521, subclass 182;
- Group II Claims 6 and 11-13 drawn to a process for producing an open cell foam, classified in class 521, 87+;
- Group III Claims 7, 9 and 16-18 drawn to a process for producing an open cell foam, classified in class 521, subclass 100;
- Group IV Claims 8, 10 and 19-21 drawn to a process for producing an open cell foam, classified in class 521, subclass 134;
- Group V Claim 15 drawn to a process for producing foam sheet, classified in class 521, subclass 87+;
- Group VI Claim 22 drawn to a process for producing a foam sheet, classified in class 521, subclass 100+; and
- Group VII Claim 23 drawn to a process for producing a foam sheet, classified in class 521, subclass 134+.

Applicants herewith elect Group I, cf. Claims 1-5 and 14 with traverse. Traversal of the Examiner's restriction requirement is deemed proper for the following reasons.

The instant application recites a Claim that provides the inventive link for all the other Claims; product Claim 1. All the other recited Claims of the instant invention comprise processes for preparing the product according to Claim 1 or processes for using the product of Claim 1.

Further, the process Claims of Group II (Claims 6, 11-13), the process Claim of Group V (Claim 15), the process Claims of Group III (Claims 7, 9, 16-18), the process Claim of Group VI (Claim 22), the process Claims of Group IV (Claims 8, 10, 19-21) and the process Claim of Group VII (Claim 23) comprise a single Group because the inventions of Group II and Group V belong to

SCHERZER et al.
S.N. 10/784,815

one subclass, the inventions of Group III and Group VI belong to another subclass, the inventions of Group IV and Group VII belong to a third subclass and the inventions of Group IV and Group VII belong to a final subclass of the same single class classification, class 521.

Applicants urge that the division of the instant invention into separate Groups, as designated by the Examiner, is in error and it is therefore respectfully requested that the restriction requirement be withdrawn. Favorable action is solicited.